

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SEAN L GILBERT, et al.,

Plaintiffs,

v.

BANK OF AMERICA, et al.,

Defendants.

No. C 13-01171 JSW

**ORDER SETTING HEARING ON  
MOTIONS TO DISMISS AND  
RESOLVING LETTER BRIEFS  
RE DISCOVERY DISPUTES**

**(Docket Nos. 48, 50, 64, 72, 104, 107,  
and 110)**

This matter has been reassigned to the undersigned Judge. Defendants have filed motions to dismiss (Docket Nos. 48, 50, 64, 72 and 104). The Court HEREBY ORDERS the parties to appear for a hearing on these motions on Friday, August 8, 2014, at 9:00 a.m. in Courtroom 5, 1301 Clay Street, Oakland, California. If the Court finds any of the motions suitable for disposition without oral argument, it shall notify the parties in advance of the hearing date.

The Court also has considered the letter briefs filed by the parties setting forth disputes regarding when discovery should commence. The Court recognizes that this case has been pending for some time, and it is aware that there will be a further delay in hearing the pending motions as a result of the recent reassignment back to this Court. However, in the exercise of its discretion, the Court shall STAY discovery pending resolutions of the motions to dismiss. The Court is aware that Plaintiffs have asked for leave to conduct jurisdictional discovery. The Court shall address that issue when it resolves the pending motions.

By this Order, the Court terminates the letter briefs at Docket No. 107 and Docket No. 110.

**IT IS SO ORDERED.**

Dated: June 25, 2014

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE